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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/735,899	12/16/2003	Atsuhiko Otaka	032172	5713
38834 7590 06/03/2008 WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP 1250 CONNECTICUT AVENUE, NW SUITE 700 WASHINGTON, DC 20036				
EXAMINER				
TRUONG, LOAN				
ART UNIT		PAPER NUMBER		
2114				
MAIL DATE		DELIVERY MODE		
06/03/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

1. This Advisory action is in response to applicant's arguments on May 23, 2008.

2. Claims 1, 3, 5-11, 13, 15-19, 21 and 23-28 are presented for examination.

Claims 1, 11 and 19 are amended. Claims 2, 4, 12, 14, 20, 22 and 29-31 are previously cancelled

Allowable Subject Matter

3. Claims 7 and 27-28 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: The examiner deems claims 7 and 27 as novel when read as a whole for the limitations of a redundancy management method for BIOS comprising the steps of: preventing execution of said switching when said hardware is started up for power recovery.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2114

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
 2. Ascertaining the differences between the prior art and the claims at issue.
 3. Resolving the level of ordinary skill in the pertinent art.
 4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
4. Claims 1, 3, 5-6, 8-11, 13, 15-19, 21, and 23-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Angelo et al. (US 7,073,064) in further view of Lin (US 2002/0099974).